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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,925	12/27/2000	Peter Alan Luhrs	058542.00007	5089
44093 7590 12/29/2006 ELEY LAW FIRM CO. 7870 OLENTANGY RIVER RD SUITE 311 COLUMBUS, OH 43235			EXAMINER BURGESS, BARBARA N	
			ART UNIT	PAPER NUMBER
			2157	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/748,925	LUHRS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Barbara N. Burgess	2157	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8-9-01, 4-12-04</u>   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Gray et al. (hereinafter "Gray", US Patent 6,377,860 B1).

As per claims 1, 11, and 21, Gary discloses a method and apparatus for programming at least a portion of a multiplexed vehicle network, comprising:

receiving user input via an intuitive graphical user interface (column 5, lines 33-50);

identifying the layout of a vehicle network based on the user input (column 6, lines 13-30);

defining logical relationships between components of the vehicle network based on the user input (column 6, lines 30-44);

compiling network data based on the layout and logical relationships (column 7, lines 13-27);

storing the compiled data (column 7, lines 55-64).

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As per claims 2, 12, 22, Gary discloses a method and apparatus according to claims 1, 11, 21 wherein the step of identifying the layout of the vehicle network includes identifying a vehicle network type (column 7, lines 15-20).

As per claims 3, 13, and 23, Gary discloses a method and apparatus according to claims 2, 12, and 22 wherein the step of compiling is based on the vehicle network type (column 7, lines 50-56).

As per claims 4, 14, and 24, Gary discloses a method and apparatus according to claims 1, 11, and 21, wherein the step of identifying the layout of the vehicle network includes identifying a network node (column 6, lines 33-45).

As per claims 5, 15, and 25, Gary discloses a method and apparatus according to claims 4, 14, and 24 wherein the step of identifying the layout of the vehicle network further includes identifying a component to provide input to the network node (column 6, lines 45-63).

As per claims 6, 16, 26, Gary discloses a method and apparatus according to claims 4, 14, and 24 wherein the step of identifying the layout of the vehicle network further includes identifying a component to receive output from the network node (column 5, lines 55-67).

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As per claims 7, 17, and 27, Gary discloses a method and apparatus according to claims 1, 11, and 21 wherein the step of defining logical relationships includes:

identifying a command (column 8, lines 15-55);

selecting an input (column 8, lines 55-67);

assigning the command to the input (column 8, lines 1-15).

As per claims 8, 18, and 28, Gary discloses a method and apparatus according to claims 1, 11, and 21 wherein the step of defining logical relationships includes:

identifying a first command (column 7, lines 50-67);

selecting an output (column 8, lines 50-60);

assigning the first command to the output (column 8, lines 60-67).

As per claims 9, 19, and 29, Gary discloses a method and apparatus according to claims 8, 18, and 28 wherein the step of defining logical relationships further includes:

identifying a second command (column 5, lines 35-43);

identifying a relationship between the first and second commands (column 6, lines 45-55);

assigning the second command and the relationship to the output (column 6, lines 34-47).

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As per claims 10, 20, and 30, Gary discloses a method according to claims 1, 11, 21 further including the step transmitting at least a portion of the stored data and instructions to the vehicle network controller (column 4, lines 60-67).

### CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Barbara N Burgess  
Examiner  
Art Unit 2157

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